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**Appeal and Request for Expedited Relief, to the Federal Communications
Commission on behalf of the Mel Blount Youth Home**

March 15, 2006

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W. Suite TW-A325
Washington, D.C. 20554

This is an appeal from a decision by the Schools and Libraries Division of the USAC.

Enclosed are the original and four copies of the Appeal. An extra copy is also enclosed. Please time stamp the extra copy and return it to me in the enclosed self addressed-stamped envelope.


Nathaniel Hawthorne

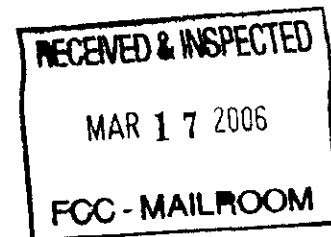
Attorney for Mel Blount Youth Home

Enclosures

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Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of the)	File No. SLD -
)	
Appeal of the Decision of the)	
)	
Universal Service Administrator by)	
the)	
)	
Mel Blount Youth Home)	
)	
)	
)	CC Docket No. 96 - 45
Federal-State Joint Board on)	
Universal Service)	
Changes to the Board of Directors of)	
The National Exchange Carrier)	
Association, Inc.)	CC Docket No. 97 - 21

Appeal
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Request for Expedited Relief
on behalf of the
Mel Blount Youth Home

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(1) Funding Commitment Decision Letter Appealed

Form 471 Application Number: 465423
Funding Year 2005: 07/01/2005-06/30/2006
Billed Entity Number: 222402

Date of Funding Denial Notice: January 25, 2006
Date of Appeal: March 14, 2006

(2) SLD Contact Information

- (a) Annie Jackson
Mel Blount Youth Home
582 Mel Blount Rd.
Vidalia, GA 30474
Tel. (912) 537.7758
Fax.(912) 537.0825
- (b) Nathaniel Hawthorne, Attorney (To discuss this Appeal)
27600 Chagrin Blvd., Ste 265
Cleveland, OH 44122
Tel. (216) 514.4798

(3) Funding Request Numbers Appealed

FRN -1326275

(4) SLD's Reason for Funding Denial of FRN -1326275

"This FRN is a request for a Telecommunications Service from a carrier that does not provide telecommunications on a common carriage basis."

(5) There is no Federal Communications Requirement that "Cellular Service" be provided by a telecommunications carrier on a common carriage basis.

- a) The vendor is a reseller of cellular service. "Resellers offer service to consumers by purchasing airtime at wholesale rates from facilities-based providers and reselling it at retail prices. The Commission (FCC) does not actively regulate the resale of such services, only mandates that it be allowed to occur." Therefore, resellers, especially resellers of cellular service, do not have to be common carriers that resell on a "common carriage basis."

http://wireless.fcc.gov/services/index.htm?job=operations_3&id=paging¹

- b) This means that there is no requirement that the provider provide telecommunications service on a common carriage basis.

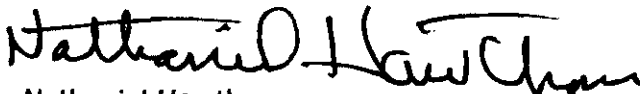
¹ **Operations**

Resale : Resellers offer service to consumers by purchasing airtime at wholesale rates from facilities-based providers and reselling it at retail prices. The Commission does not actively regulate the resale of such services, only mandates that it be allowed to occur. The Commission formerly prohibited CMRS (which includes both cellular and broadband PCS) providers from unreasonably restricting resale of their services.

Mel Blount Youth Home is Requesting the Following Action by the FCC:

- (a) Within 30 days or less Order funding for the telecommunication services requested in the 471 Application, FRN -1326275
- (b) Set aside funds to totally fund Mel Blount's request.

Respectfully submitted,


Nathaniel Hawthorne

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